

### REMARKS

This paper responds to the Final Office Action, dated June 25, 2007, and the Advisory Action, dated October 3, 2007. A copy of the response to the Final Office Action filed on September 7, 2007 is attached herewith. In the Advisory Action, the PTO maintained the rejection of claims 13-20 and 69-85 under 35 U.S.C. 103(a) as being allegedly unpatentable over Gosselin *et al.* in combination with Weis *et al.* and did not enter the Amendment under 37 C.F.R. § 1.116 previously filed on September 7, 2007.

In the Advisory Action, the PTO alleged that “the benefits of anhydrous conditions and the use of such conditions is also well known to one of skill in the art, especially with respect to yield, completer substitution.” *See* the second paragraph in the continuation sheet of the Advisory Action dated October 3, 2007. Applicants respectfully submit that anhydrous conditions are not always beneficial, especially in reactions where moisture is needed to act as a catalyst or a reactant.

The PTO also alleged that “(i)n the instant process since a halogen at the 1-position of the ribose ring is reacted with a silylated base one of skill in the art would want the halogen on the ribose to get hydrolyzed and hence would obviously use anhydrous reagents and conditions and generating the acid halide to make the haloribose would be done in situ via the reaction of acyl halide with alcohol.” *See* the second paragraph in the continuation sheet of the Advisory Action dated October 3, 2007. Applicants respectfully submit that it is not desirable to have the halogen on the ribose to get hydrolyzed because the halogen will be converted to a hydroxy group which may not subsequently react with a silylated amine such as silylated thymine.

The PTO also alleged that “one of skill in the art also knows that added HCl contains water and hence would not want to use it.” *See* the second paragraph in the continuation sheet of the Advisory Action dated October 3, 2007. Applicants respectfully submit that people skill in the art such as those of the cited reference Weis *et al.* (WO 96/13512) actually teach using HCl even though they know that HCl may contain water. *See* page 20 of Weis *et al.* (WO 96/13512).

In view of the above comments, Applicants respectfully request withdrawal of the rejection of claims 13-20 and 69-85 under 35 U.S.C. 103(a) as being allegedly unpatentable over Gosselin *et al.* in combination with Weis *et al.*

**CONCLUSION**

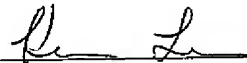
In light of the above amendments and remarks, the Applicants respectfully request that the PTO reconsider this application with a view towards allowance.

Please apply fees for the 3 month extension (\$1,050.00) and RCE (\$810.00) to Jones Day Deposit Account No. 50-3013 (referencing order no. 417451-999010). No other fee is believed due for this submission. However, if any fees are required for the entry of this paper or to avoid abandonment of this application, please charge the required fees to Jones Day Deposit Account No. 50-3013.

The Examiner is invited to call the undersigned attorney at (650) 739-3983, if a telephone call could help resolve any remaining items.

Respectfully submitted,

Date November 27, 2007

  
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